



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Attorney Docket No. 081848/0183**

Applicant: Yutaka MORIKAWA

Title: POINT-TO-MULTIPOINT WIRELESS ACCESS SYSTEM

Serial No.: 09/975,021

Filed: October 12, 2001

Examiner: Unassigned

Art Unit: 2681

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SEP 16 2003

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**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO-SB08 is a list of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR 1.97 and 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any documents which is determined to be a prima facie prior art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The instant Information Disclosure Statement is believed to be filed in accordance with 37 C.F.R. 1.97(b), prior to the mailing date of a first Office Action on the merits (first scenario). If that is not the case, such as in a second scenario in which a first Office Action on the merits has been mailed before the filing of the instant Information Disclosure Statement, then either a certification or fee is required, and a certification is provided below. If neither of the first or second scenarios is the case, such as if a final Office Action or a notice of allowance has been mailed by the PTO (third scenario), then both a certification and fee are required, and in that case a certification is provided below and also the PTO is authorized to obtain the necessary fee to have the instant IDS considered, from Foley & Lardner Deposit Account #19-0741.

**CERTIFICATION**

The undersigned hereby certifies in accordance with 37 C.F.R. §1.97(e)(1) that items of information A7 – A13 listed on the Form PTO SB/08 submitted with this Information Disclosure Statement were first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement. Items of information A2 – A7 are either U.S. patents or published U.S. patent applications that are counterparts to item of information A13, and item of information A1 is a U.S. patent that is a counterpart to item of information A7.

**RELEVANCE OF EACH DOCUMENT**

A translation of a portion of a Japanese Office Action that issued July 29, 2003 with respect to a counterpart Japanese patent application is provided below.

"Regarding: Claims 1 through 8  
Cited Literature: 1

**Remarks**

This is nearly the same as Claim 1 in the present application. The items written directly in Claims 2 through 4 of

the present application are common knowledge to the point that examples need not be given. The items written directly in Claims 5 through 8 of the present application are simply design issues.

#### List of Cited Literature

Japanese Unexamined Patent Application Publication H8-274700

#### Record of Prior Art Literature Search Results

##### Fields searched - IPC 7th Edition

H04B 7/24-7/26

H04Q 7/00-7/38

##### Prior art literature

Japanese Unexamined Patent Application Publication H11-150502

Japanese Unexamined Patent Application Publication H11-127105

Japanese Unexamined Patent Application Publication H7-154841

Japanese Unexamined Patent Application Publication H8-274700

Japanese Unexamined Patent Application Publication H9-294290

Japanese Unexamined Patent Application Publication H8-233075

International Patent Publication 99/56415 Pamphlet (1999) (Note that the Published Japanese Translation of a PCT Patent Application pertaining thereto is Published Japanese Translation of a PCT Patent Application 2002-513240)

Japanese Unexamined Patent Application Publication H11-75248

This Record of Prior Art Literature Search Results does not constitute a reason for rejection."

Applicant's statements regarding the Japanese Office Action are based on a partial translation that Applicant's representative obtained. These statements should in no way be considered as an agreement by Applicant with, or an admission of, which is asserted in the Japanese Office Action.

Applicant respectfully request that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form-SB08 be returned in accordance with MPEP §609.

Respectfully submitted,

September 15, 2003

Date

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Substitute for form 1449B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT					
Date Submitted: September 15, 2003 <i>(use as many sheets as necessary)</i>				Application Number	09/975,021
				Filing Date	10/12/2001
				First Named Inventor	Yutaka MORIKAWA
				Group Art Unit	2681
				Examiner Name	Unknown
				Attorney Docket Number	081848-0183
Sheet	1	of	1		

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
A1	6,356,540			KOJIRO	03/12/2002	
A2	6,381,222			KIKINIS	04/30/2002	
A3	6,421,325			KIKINIS	07/16/2002	
A4	6,421,329			KIKINIS	07/16/2002	
A5	2002/0181429			KIKINIS	12/05/2002	
A6	6,560,214			KIKINIS	05/06/2003	

## FOREIGN PATENT DOCUMENTS

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials\*      Cite No.<sup>1</sup>      Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.      T<sup>6</sup>

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Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO).

<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.